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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

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Ex parte MICHAEL ANTHONY DEAN

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Appeal 2009-011376
Application 10/803,551
Technology Center 2100

_____

Before: KRISTEN L. DROESCH, KALYAN K. DESHPANDE,
and ERIC B. CHEN, *Administrative Patent Judges*.

DESHPANDE, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF CASE[1]

The Appellants seek review under 35 U.S.C. § 134 of a rejection of claims 1-15, the only claims pending in the application on appeal. We have jurisdiction over the appeal pursuant to 35 U.S.C. § 6(b).

We AFFIRM.

The Appellants invented methods and apparatus for focusing search results on the semantic web. Specification ¶ 0003.

An understanding of the invention can be derived from a reading of exemplary claim 1, which is reproduced below [bracketed matter and some paragraphing added]:

> 1. A method of obtaining search results, comprising:
> [1]   parsing statements from at least one Semantic Web structured resource to identify component words;
> [2]   constructing an index from said component words, said index relating said component words to said statements;
> [3]   comparing said component words to a search term to identify matching words;
> [4]   identifying related ones of said statements for said matching words based on said index;
> [5]   obtaining predicates, instances, types of said instances, and literal values of said related ones of said statements; and
> [6]   summarizing said predicates, instances, types, and literal values for presentation to a user as said search results.

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[1] Our decision will make reference to the Appellants' Appeal Brief ("App. Br.," filed September 14, 2007) and Reply Brief ("Reply Br.," filed March 10, 2009), and the Examiner's Answer ("Ans.," mailed January 13, 2009), and Final Rejection ("Final Rej.," mailed April 20, 2007).

REFERENCES

The Examiner relies on the following prior art:

Wical   US 6,038,560   Mar. 14, 2000

REJECTIONS

Claims 1-15 stand rejected under 35 U.S.C § 102(b) as being anticipated by Wical. Ans. 3.

ISSUE

The issue of whether the Examiner erred in rejecting claims 1-15 under 35 U.S.C. § 102(b) as anticipated by Wical turns on whether Wical describes limitations [1], [2], [5], and [6] of claim 1.

FACTS PERTINENT TO THE ISSUES

The following enumerated Findings of Fact (FF) are believed to be supported by a preponderance of the evidence.

Facts Related to the Prior Art

Wical

  01. Wical is directed to a knowledge base search and retrieval system. Wical 1:6-8. The search and retrieval system includes a knowledge base that links terminology having a lexical, semantic, or usage association. Wical 2:46-48. The search and retrieval system further bridges the gap between the user's view of a description of the information sought and the organization and classification of information in the system. Wical 5:17-21.

02. The search and retrieval system is cataloged with one or more documents and the documents include a compilation of information from any source, including sources in remote locations or on a network. Wical 5:33-38. A content processing system analyzes the thematic, contextual, and stylistic aspects of the documents and generates a document theme vector. Wical 5:44-46. The document theme vector identifies themes for each individual document and the strength of each corresponding theme to the document. Wical 5:46-49. The system further classifies and categorizes each theme using classification criteria and arranges the classifications in a hierarchical structure in a knowledge base. Wical 5:51-61 and 6:7-8. The search and retrieval system further includes learning, scoring, and inference processes. Wical 6:34-40 and 6:62-64. These processes associate conceptual themes to terms in the knowledge base using inferences and learning. Wical 6:45-51 and 7:7-16. For example, the term "Oracle 7" is associated to the concepts of computer software and/or relational databases. Wical 6:39-48. The inferences processing also implies concepts to the themes, e.g. the review of a restaurant may not have the exact term "restaurant" included but the inference processing adds the theme "restaurant" to the document. Wical 7:13-21. The content processing system further includes a lexicon that includes definitional characteristics for a plurality of words. Wical 9:1-3. If the user enters a query using the terms "Legal," "Betting," and "China" the system identifies terminology related to the query terms. Wical 9:36-41.

The system presents the results to the user and further displays the
groupings of terminology related to the query term. Wical 9:64-
66 and Fig. 3.

ANALYSIS

Claims 1-15 rejected under 35 U.S.C § 102(b) as being anticipated by
Wical

The Appellants first contend that (1) Wical fails to describe Semantic
Web structured resources as required by claims 1, 5, 8, and 12. App. Br. 19-
20 and Reply Br. 3-4. We disagree with the Appellants. The Specification
fails to provide a specific definition to the term "Semantic Web structured
resource." The claims also fail to limit the scope of this term. The
Examiner found that a "Semantic Web structured resource" encompasses
any structured resource, available on the Internet, that is a compilation of
information. Ans. 7. Without any further guidance from the Specification or
limitations in the claims, we find that the Examiner's construction of this
term is both reasonable and consistent with the Specification.

Wical describes a knowledge base that links terminology having a
lexical, semantic, or usage association. FF 01. The knowledge base
includes compilations of information in the form of documents that have
theme vectors that include terms. FF 02. The documents are available at
sources in remote locations or on a network. FF 02. The terms are parsed
from the documents and learning, scoring, and inference processes are
performed on the terms. FF 02. Applying the Examiner's construction of a
"Semantic Web structured resource," the documents are Semantic Web
structured resources and terms are parsed from the documents to generate

themes as statements from the document. As such, Wical describes a
"Semantic Web structured resource." The Appellants further argue that
Wical's description of the analysis of the semantic, contextual, and stylistic
aspects of documents renders Semantic Web structured resources
unnecessary (App. Br. 19), but fail to provide any rationale to distinguish the
claimed invention from Wical's description of the analysis of the documents
using the learning, scoring, and inference processing. As such, the
Appellants' arguments are not found to be persuasive.

The Appellants also contend that (2) Wical fails to describe parsing
statements to identify component words, as required by claims 1, 5, 8, and
12. App. Br. 20-22 and Reply Br. 4-6. The Appellants specifically argue
that the claimed invention requires a first one-to-many relationship between
a structured resource and its associated statements and a second one-to-many
relationship between a single statement and its associated component words,
whereas Wical at most describes a one-to-one relationship between
documents and their associated themes. App. Br. 21. We disagree with the
Appellants. The claims only require parsing statements from a structured
resource and identifying component words from the statements. The claims
do not specifically require a one-to-many relationship between the structured
resource, statements, or component words. As such, this argument is not
found to be persuasive. Furthermore, Wical describes learning, scoring, and
inference processes that are used to analyze the content of documents. FF
02. As discussed *supra*, terms are parsed from the content of the documents
to generate themes for the documents and the parsing of these terms is
functionally the same as statements. The themes developed for each
document and the organization and categorization of the themes are

component words that are identified from the statements. For example, Wical describes that the term of "Oracle 7" is associated to component words of computer software or relational databases. FF 02. That is, the terms computer software and relational databases are components words associated to the statement of "Oracle 7." As such, Wical describes identifying component words from the statements. Since each document has multiple themes associated to it and the processing of the document adds additional terms to themes, Wical describes a one-to-many relationship between the structured resource, statements, and component words.

The Appellants additionally contend that (3) Wical fails to describe an index relating component words to statements, as required by claims 1, 5, 8, and 12. App. Br. 22-23. We disagree with the Appellants. Wical describes categorizing and classifying the themes of documents and arranging the classifications in a hierarchical structure in a knowledge base. FF 02. As discussed *supra*, the themes of a document are component words and the themes are developed from the content of the document or statements. As such, this categorization, classification, and organization of themes in a hierarchical format in a knowledge base is the same as an index relating component words to statements.

The Appellants further contend that (4) Wical fails to describe obtaining predicates, instances, types of instances, and literal values, as required by claims 1, 6, 8, and 12. App. Br. 23-24 and Reply Br. 7-9. We disagree with the Appellants. Appellants' Specification discloses that a predicate encompasses a named property in a statement, an instance encompasses the subject of a statement, and the type of instance encompasses the type of subject. Specification ¶ 0024. Wical describes

learning, scoring, and inference processes that generate component words
for a query. FF 02. For example, for a query including "Legal," "Betting,"
and "China," the system generates subjects for each of the terms, such as
"Government," "Casino," and "Asia" and an overall subject, such as
"Gaming Industry." Wical Fig. 3. As such, Wical describes predicates and
instances. These subjects are also categorized by the type of subject or type
of instance. FF 02 and Fig. 3. Wical further describes that there is a literal
value associated. Wical Fig. 3. For example, Wical associates the literal
value of "2" with "Gaming Industry." Wical Fig. 3. As such, Wical
describes obtaining predicates, instances, types of instances, and literal
values.

The Appellants also contend that (5) Wical fails to describe presenting
gathered statements for parsing, as required by claims 3, 5, 10, and 14. App.
Br. 25-26 and Reply Br. 9-11. We disagree with the Appellants. This
argument is similar to the argument *supra* regarding Wical's description of
parsing statements to identify component words. As such, we find this
argument unpersuasive for the same reasons discussed *supra*.

The Appellants additionally contend that (6) Wical fails to describe
arranging the predicates, instances, types, and literal values into one or more
graphical representations, as per claims 2, 4, 7, 9, 11, 13, and 15. App. Br.
26-27 and Reply Br. 11-12. The Appellants specifically argue that at most
Wical describes two of the four values requiring graphical representation.
App. Br. 27. We disagree with the Appellants. As discussed *supra*, Wical
describes obtaining the predicates, instances, type of instances, and literal
values and Fig. 3 displays four values that are presented to a user. These
values include the predicate ("Legal, Betting, China"), instances

("Government, Casino, Asia", "Patents, Slot Machines, Japan", "Crime, Wagering, China"), types of instances ("Gaming Industry", "Patent Law") and a literal value (2, 4, 2, 1). FF 02. As such, Wical describes arranging the predicates, instances, types, and literal values into one or more graphical representations and the Appellants' argument is not found to be persuasive.

CONCLUSIONS OF LAW

The Examiner did not err in rejecting claims 1-15 under 35 U.S.C. § 102(b) as anticipated by Wical.

DECISION

To summarize, our decision is as follows:

- The rejection of claims 1-15 under 35 U.S.C. § 102(b) as anticipated by Wical is sustained.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv) (2009).

AFFIRMED

msc